

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

Vicente CAMERENO-Garcia.

Defendant.

Mag. Case No. '07 MJ 8991

COMPLAINT FOR VIOLATION OF:

Title 8, U.S.C., Section 1326

Deported Alien Found In the United States

The undersigned complainant, being duly sworn, states:

On or about December 14, 2007, within the Southern District of California, defendant Vicente CAMERENO-Garcia, an alien, who previously had been excluded, deported, and removed from the United States to Mexico was found in the United States, without the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States code, section 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission into the United States; in violation of Title 8, United States Code, Section 1326.

And the complainant states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

MARCO A. MIRANDA
Senior Patrol Agent

SWORN TO BEFORE AND SUBSCRIBED IN MY PRESENCE THIS 17th DAY OF
DECEMBER 2007.

PETER C. LEWIS
United States Magistrate Judge

I, Senior Border Patrol Agent Michael Mikuski declare under penalty of Perjury, the following is true and correct:

PROBABLE CAUSE STATEMENT

The complainant states that this complaint is based upon the statements of the apprehending Border Patrol Agent A. Garcia, the defendant, Vicente CAMERENO-Garcia, aka Vicente CAMERENO-Castillo, a native and citizen of Mexico and was found and arrested on or about December 14, 2007 near Calexico, California.


At approximately 5:30 P.M. the Calexico Border Patrol Station's Remote Video Surveillance System Operator (RVSS) observed a group of individuals make an illegal entry in to the United States by crossing the International Boundary with Mexico approximately 12 miles east of Calexico, California. The RVSS operator relayed this information to agents working in the area. Agent Garcia responded and was able to locate the group of illegal entrants approximately .5 miles north of the All American Canal. Agent Garcia identified himself and questioned the illegal entrants. It was determined that all nine of them, including one later identified as Vicente CAMERENO-Garcia, are citizens of Mexico illegally in the United States. CAMERENO and the eight other illegal entrants were arrested and transported to the Calexico Border Patrol Station.

During processing at the station, CAMERENO'S fingerprints were entered into the IDENT/ENFORCE/IAFIS system. It was determined that has been previously removed from the United States on December 18, 2006.

At approximately 3:30 A.M. on December 15, 2007, a further records check of CAMERENO, it was discovered he has an extensive Immigration and criminal history. Also revealed was CAMERENO is currently on Supervised Release for a previous 8 USC 1326 violation. Agent E. Flores witnessed Agent J. Martinez read CAMERENO his rights per Miranda.

There is no evidence CAMERENO has sought nor received permission from the Attorney General of the United States or the Secretary of the Department of Homeland Security to re-enter the United States after being deported.

Executed on December 15, 2007 at 1130 A.M.


Senior Border Patrol Agent

On the basis of the facts presented in the probable cause statement consisting of 1 page, I find Probable cause to believe that the defendant named in this probable cause statement committed the offense on December 14, 2007 in violation of Title 8, United States Code 1326.


William McCurine Jr.
United States Magistrate Judge

12/15/07, 1149 hrs
Date/Time